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**CONTINUED PROSECUTION APPLICATION (CPA)****REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. 1.53(d))

CHECK BOX, if applicable:

☐ **DUPLICATE**

Address to:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	930008-2022	<b>RECEIVED</b>  OCT 2 8 2002  TECH CENTER 1600/2300
	First Named Inventor	Cornelia Berghof	
	Examiner Name	Jehanne E. Souaya	
	Group/Art Unit	1634	
	Express Mail Label No.	EV142956381US	

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d), (continued prosecution application (CPA)) of prior application number 09/508,238, filed on 05/08/2000, entitled "Amino Acid Sequences and Method for Isolating Bacteria from the Genus *Pseudomonas*".

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.53(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P-NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. §1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☒ Enter the unentered amendment previously filed on August 21, 2002 under 37 C.F.R. 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
    - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
  - ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

10/25/2002 RNDWDAF1 00000086 09508238

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370.00 DP

OCT 22 2002

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PTO/SB/29 (10/00)  
Approved for use through 10/31/2002. OMB 0651-0052  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR. 1.16(c) or (i))		- 20* =	0	x \$ 18 =	\$ 0.00
INDEPENDENT CLAIMS (37 CFR. 1.16(b) or (i))		- 3** =	0	x \$ 84 =	0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	
				BASIC FEE (37 C.F.R. § 1.16)	740.00
				Total of above Calculations =	\$ 740.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.27).	- 370.00
				* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent	
				TOTAL =	\$ 370.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27)

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-0320**

- a. ☒ Fees required under 37 C.F.R. 1.16.  
b. ☒ Fees required under 37 C.F.R. 1.17.  
c. ☐ Fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$775.00 is enclosed. (includes fee for three month extension for small entity [\$460] minus one month extension of time previously paid [\$55] totalling \$405.00)

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11. ☒ New Attorney Docket Number, if desired **930008-2022**  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503).

13. ☒ Other: **Request for a Three Month Extension of Time**
**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

#### 14. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ New correspondence address below

Name	<b>Ronald R. Santucci</b>			
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#### 15. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	<b>Ronald R. Santucci</b>
Signature	<i>Ronald R. Santucci</i>
Registration No. (Attorney/Agent)	<b>28,988</b>
Date	<b>October 22, 2002</b>



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/508,238	05/08/2000	1634	993	2727-102		22	2

\*  
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CONFIRMATION NO. 8813

CORRECTED FILING RECEIPT



\*0C000000009026122\*

Date Mailed: 10/29/2002

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

CORNELIA BERGHOF, BERLIN, GERMANY;  
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**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP98/05738 09/09/1998

**Foreign Applications**

GERMANY 197 39 611.9 09/09/1997

**If Required, Foreign Filing License Granted** 07/13/2000

**CPA filed on:** 10/22/2002

**Projected Publication Date:** 02/06/2003

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

AMINO ACID SEQUENCES AND METHOD FOR ISOLATING BACTERIES FROM THE TYPE GENUS  
PSEUDOMONAS

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15 (b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).